

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 6, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Patricia Owen, Chief Deputy County Clerk
Gwen Thorpe, Chief Deputy Administrative Officer

The Board of Commissioners meeting was called to order at 9:30 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, May 30, 2006.**

MOTION: Stevens moved and Heier seconded approval of the minutes of the Board of Commissioners meeting held on May 30, 2006. Stevens, Heier and Schorr voted aye. Hudkins and Workman abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

- A. **The Volunteer of the Month Award was presented to Ed Binder for his services with the Lancaster County Assessor/Register of Deeds Office, Board of Commissioners Office, Property Management Department and the Lincoln Area Agency on Aging.**
- B. **A resolution proclaiming June 4th through June 10th, 2006 as "Management Week". (R-06-0056)**

The Clerk read the resolution into the record.

2) **SPECIAL PRESENTATIONS CONTINUED:**

Appearing was Julie Peter, Pat Kant and Donna Barrett.

Barrett disseminated information regarding Leadership Link (Exhibit 1) and briefly outlined their goals for 2006.

MOTION: Stevens moved and Heier seconded approval of Resolution 06-0056 proclaiming June 4th through June 10th, 2006 as "Management Week". Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

3) **CLAIMS:** Approval of all claims processed through Tuesday, June 6, 2006.

MOTION: Heier moved and Workman seconded approval of all claims processed through June 6, 2006. Workman, Stevens, Hudkins, Heier and Schorr voted aye. Motion carried.

4) **NEW BUSINESS:**

A. An application for a Special Designated License from B & B-Q, Inc. d/b/a Cheerleaders to provide liquor beverage service for a wedding reception on Saturday, June 24, 2006 from 5 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street, Lancaster County, Nebraska.

MOTION: Stevens moved and Hudkins seconded approval of an application for a Special Designated License from B & B-Q, Inc. d/b/a Cheerleaders to provide liquor beverage service for a wedding reception on Saturday, June 24, 2006 from 5 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street, Lancaster County, Nebraska.

In response to a question asked by Heier, Stevens stated it was his understanding that Cheerleaders continues to retain their liquor license, however, it will expire 30 days after close of the retail business. At that point, he said, the Liquor Control Commission will hold a show cause hearing. Stevens stated the Board is within the 30 day limit.

ROLL CALL: Stevens, Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- B. A resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to various General Fund agencies. The total amount to be transferred is \$1,620,505. (R-06-0055)**

MOTION: Hudkins moved and Stevens seconded approval of Resolution 06-0055 in the matter of transferring appropriations from the General Fund Miscellaneous Budget to various General Fund agencies. The total amount to be transferred is \$1,620,505. Heier, Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

- C. An agreement between the State of Nebraska, Department of Economic Development and Lancaster County for a Community Development Block Grant (CDBG) which will be loaned to RRJ, L.L.C. d/b/a Legacy Dairy and Creamery Supply Company for the creation of 16 full-time jobs at the facility in Hallam. Lancaster County will receive \$305,000 from the Department, \$300,000 of which will be loaned to Legacy Dairy and Creamery and \$5,000 of which are administrative expenses. (C-06-0322)**

MOTION: Workman moved and Hudkins seconded approval of an agreement between the State of Nebraska, Department of Economic Development and Lancaster County for a Community Development Block Grant (CDBG) which will be loaned to RRJ, L.L.C. d/b/a Legacy Dairy and Creamery Supply Company for the creation of 16 full-time jobs at the facility in Hallam. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

- D. Recommendation from the Purchasing Agent and the Bid Review Committee to ratify a contract with Midwest Roofing, Inc. for the listed unit price for Lancaster County, the City of Lincoln and the Public Building Commission in relation to small emergency and routine maintenance and repair of facilities (under \$25,000), beginning May 1, 2006 through April 30, 2007 with an option to renew for two additional one year periods. (C-06-0323)**

MOTION: Heier moved and Hudkins seconded approval of a contract with Midwest Roofing, Inc. for the listed unit price for Lancaster County, the City of Lincoln and the Public Building Commission in relation to small emergency and routine maintenance and repair of facilities (under \$25,000), beginning May 1, 2006 through April 30, 2007 with an option to renew for two additional one year periods. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

E. A contract between the Lancaster County Engineering Department and White Glove Janitorial for annual requirements for cleaning services at the Westgate office and shop facilities, in the amount of \$10,920. Term of the contract is July 1, 2006 through June 30, 2007 with an option to renew for two additional one year periods. (C-06-0324)

MOTION: Heier moved and Stevens seconded approval of a contract between the Lancaster County Engineering Department and White Glove Janitorial for annual requirements for cleaning services at the Westgate office and shop facilities, in the amount of \$10,920. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

F. An agreement with Region V Systems for Emergency Protective Custody Services at the Lancaster County Crisis Center. Term of the agreement is from July 1, 2006 to June 30, 2007. Region V will enter into separate agreements with referring counties who will send acutely mentally ill individuals to Lancaster County. The County will be paid \$106 per individual for the County fee and \$52 for the rural pool for each individual. (C-06-0325)

MOTION: Heier moved and Workman seconded approval of an agreement with Region V Systems for Emergency Protective Custody Services at the Lancaster County Crisis Center. Term of the agreement is from July 1, 2006 to June 30, 2007. Heier, Stevens, Hudkins, Workman and Schorr voted aye. Motion carried.

G. An agreement with the Board of Regents of the University of Nebraska regarding a Federal work study program with the Lancaster County Public Defender's Office. The County will pay 30 percent of the hourly rate for the period of August 18, 2006 through August 16, 2007. (C-06-0326)

MOTION: Stevens moved and Hudkins seconded approval of an agreement with the Board of Regents of the University of Nebraska regarding a Federal work study program with the Lancaster County Public Defender's Office. Workman, Hudkins, Stevens, Heier and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

H. Acceptance and approval of the Temporary Retirement Buyout Program application and agreement with James Larry Russell, a Lancaster County Deputy Sheriff. (C-06-0327)

MOTION: Hudkins moved and Stevens seconded acceptance and approval of the Temporary Retirement Buyout Program application and agreement with James Larry Russell, a Lancaster County Deputy Sheriff. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

I. Acceptance and approval of the Temporary Retirement Buyout Program application and agreement with Donald L. Spies, an employee of the Lancaster County Building and Grounds Division. (C-06-0328)

MOTION: Heier moved and Stevens seconded acceptance and approval of the Temporary Retirement Buyout Program application and agreement with Donald L. Spies, an employee of the Lancaster County Building and Grounds Division. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

J. Acceptance and approval of the Temporary Retirement Buyout Program application and agreement with Florence A. Stokke, an employee of the Lancaster County Sheriff's Office. (C-06-0329)

MOTION: Hudkins and Stevens seconded acceptance and approval of the Temporary Retirement Buyout Program application and agreement with Florence A. Stokke, an employee of the Lancaster County Sheriff's Office. Stevens, Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

K. Agreements with the following facilities to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreements set forth a reimbursement arrangement in which the County will provide payment for the medical care and the facilities will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreements are effective upon execution of both parties and contain a 30-day termination provision.

4) NEW BUSINESS CONTINUED:

- ▶ Able II Prosthetics (C-06-0330)
- ▶ Arthritis Center of Nebraska (C-06-0331)
- ▶ Azimuth (C-06-0332)
- ▶ Milius, Gibbens, Friesen, Hatten and Martin (C-06-0333)
- ▶ Premier Bone & Joint (C-06-0334)
- ▶ Sean G. Barry (C-06-0335)
- ▶ Star City Surgical, P.C. (C-06-0336)
- ▶ Women's Clinic (C-06-0337)

MOTION: Stevens moved and Workman seconded approval of agreements to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits with Able II Prosthetics, Arthritis Center of Nebraska, Azimuth, Milius, Gibbens, Friesen, Hatten and Martin, Premier Bone & Joint, Sean G. Barry, Star City Surgical, P.C. and Women's Clinic. Hudkins, Stevens, Heier, Workman and Schorr voted aye. Motion carried.

L. A subdivision agreement with Bernard and Connie Heier, County Final Plat No. 06039, Wyndam Place 3rd Addition, on property generally located at North 176th and Holdrege Streets, Lancaster County, Nebraska. (C-06-0338)

Heier exited the hearing room at 9:55 a.m. due to a conflict of interest.

MOTION: Workman moved and Hudkins seconded approval of a subdivision agreement with Bernard and Connie Heier, County Final Plat No. 06039, Wyndam Place 3rd Addition, on property generally located at North 176th and Holdrege Streets, Lancaster County, Nebraska. Workman, Hudkins Stevens and Schorr voted aye. Heier was absent from voting due to a conflict of interest. Motion carried.

M. An agreement between Lancaster County and Arnold Bentzinger for the sale of a surplus mobile home owned by the County, in the amount of less than \$500. (C-06-0339)

Heier re-entered the hearing room at 10:05 a.m..

MOTION: Stevens moved and Workman seconded approval of an agreement between Lancaster County and Arnold Bentzinger for the sale of a surplus mobile home owned by the County, in the amount of less than \$500. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

N. Recommendation from the Purchasing Agent, the Emergency Management Director and Radio Shop to issue an order for miscellaneous microwave equipment and spare parts for Emergency Management. Prices, which are estimated to be \$297,055, have been established by the Western States Contracting Alliance bid and will be ordered from State Contract Number 02702. (B-06-0026)

MOTION: Hudkins moved and Stevens seconded approval to issue an order for miscellaneous microwave equipment and spare parts for Emergency Management. Prices, which are estimated to be \$297,055, have been established by the Western States Contracting Alliance bid and will be ordered from State Contract Number 02702 as recommended. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

O. A request from the Lancaster County Personnel Policy Board to amend Personnel Rule 17.19 regarding shift differential and amend Personnel Rule 17.20 regarding weekend differential pay.

MOTION: Heier moved and Workman seconded approval of a request from the Lancaster County Personnel Policy Board to amend Personnel Rule 17.19 regarding shift differential and amend Personnel Rule 17.20 regarding weekend differential pay. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

P. A political subdivision tort claim filed against the Lancaster County Corrections Department by Jason Geis for lost property, in the approximate amount of \$40 to \$50.

MOTION: Stevens moved and Hudkins seconded to accept the recommendation of the Director and deny of the political subdivision tort claim filed against the Lancaster County Corrections Department by Jason Geis for lost property, in the approximate amount of \$40 to \$50. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

Q. A political subdivision tort claim filed against the Lancaster County Corrections Department by Ronnie Weston for lost property, in the amount of \$42.71.

4) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Workman seconded to accept the recommendation of the Director and deny the political subdivision tort claim filed against the Lancaster County Corrections Department by Ronnie Weston for lost property, in the amount of \$42.71. Workman, Stevens, Hudkins, Heier and Schorr voted aye. Motion carried.

R. A political subdivision tort claim filed against the Lancaster County Corrections Department by Scott Johnson for lost property, in the amount of \$125.

MOTION: Heier moved and Hudkins seconded to accept the recommendation of the Director and deny the political subdivision tort claim filed against the Lancaster County Corrections Department by Scott Johnson for lost property, in the amount of \$125. Stevens, Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

5) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

A. Receive and Place on File:

1. Clerk of the District Court's Monthly Report for May, 2006.
2. County Clerk's Monthly Report for May, 2006.
3. 2005 Annual Report for Lincoln Electric System.

B. Setting of a public hearing for Tuesday, June 13, 2006 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building to increase the appropriations for the Bridge and Road Fund, Weed Control Fund and the County-City Property Management Fund for retirement payout of employees.

C. Request from Jeremy Bibelheimer, an employee with Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.

5) **CONSENT ITEMS CONTINUED:**

MOTION: Stevens moved and Heier seconded approval of the Consent Items. Heier, Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

The Board of Commissioners meeting was recessed at 10:07 a.m. and reconvened at 10:11 a.m..

6) **EXECUTIVE SESSION REGARDING PENDING LITIGATION** - Dakan v. County of Lancaster, Doug Cyr and Tom Fox with the County Attorney's Office

MOTION: Hudkins moved and Workman seconded to enter into Executive Session at 10:12 a.m. for the purpose of discussing pending litigation. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

MOTION: Heier moved and Stevens seconded to exit Executive Session at 10:33 a.m.. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

7) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 10:35 a.m.. Heier, Stevens, Hudkins, Workman and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 6, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Patricia Owen, Chief Deputy County Clerk
Gwen Thorpe, Chief Deputy Administrative Officer

The Board of Equalization meeting was called to order at 10:07 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 30, 2006.**

MOTION: Stevens moved and Heier seconded approval of the minutes of the Board of Equalization meeting held on May 30, 2006. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 2 additions and deductions to the tax assessment rolls per Attachment "A".

MOTION: Stevens moved and Heier seconded approval of the additions and deductions to the tax assessment rolls. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

3) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAX PURPOSES FOR THE FOLLOWING:**

Princeton Group Inc.

4) **ASSESSOR RECOMMENDATIONS TO THE BOARD OF EQUALIZATION REGARDING OVERVALUED AND UNDERVALUED PROPERTY:**

The Clerk read Items 3 and 4 into the record.

MOTION: Stevens moved and Hudkins seconded to accept the recommendation of the County Assessor/Register of Deeds and send notice of assessed valuation change for property tax purposes for Princeton Group Inc. and parcels as listed on Exhibit 1*.

*NOTE: Exhibit 1 was disseminated prior to the Board of Equalization meeting.

Norm Agena, County Assessor/Register of Deeds, explained there was a coding error on 897 properties when data was transferred to the new software in the Assessor/Register of Deeds office. As a result 897 property owners did not receive their assessment notices. Notices will be sent under Neb. Rev. St. § 77-1507 and individuals will have 30 days from the date of the notice to file protests.

ROLL CALL: Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Equalization meeting at 10:11 a.m.. Heier, Stevens, Hudkins, Workman and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk

